

Clearance Record
DOCUMENT COMMENT LOG

Originating Office: AIR-140	Document Description: Order 8100.15B Chg 2 – Organization Designation Authorization Procedures	Commenter:	Suspense Date: Oct 23, 2015
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Commen ter	Pag e	Para grap h	Comment	Suggested Change	Comment Resolution
Textron Aviation Inc.	Gene ral		There are procedures and requirements throughout FAA Order 8100.15B which describe how ODAs handle ICA which we have relied on for development of ODA Procedures Manual content. During our review of Draft FAA Order 8110.54B we noted that Section 3-7. Organization Designation Authorizations. States: <i>Organization Designation Authorizations (ODA) have been delegated authority to review and accept and, where required, approve ICA in specific cases. The procedures in this order do not apply to ODAs...</i> It is our position that this statement is incorrect. Below we have referenced several examples where this disagreement is exemplified.	No changes to FAA Order 8100.15B are required if the verbiage in FAA Order 8110.54 is corrected or clarified.	We would agree that many aspects of Order 8110.54, such as ICA content requirements, apply to ODA organizations that develop Instructions for Continued Airworthiness. However, the procedural steps or requirements of that Order can't apply to ODA holders since the Order is based on the FAA's organizational structure and establishes which are not directly duplicated in the ODA system.
Garmin	ii	3.i.	Includes the text "Allows for Type Certification (TC) ODA holders to approve alternative methods ..." ODA holders do not "approve alternative methods" This statement and similar statements perpetuate and reinforce the confusion in the terminology and functionality between the "ODA" and the "ODA holder".		The FAA does not agree with this comment. The FAA grants authority to an ODA holder to perform functions on the FAA's behalf. The ODA unit is the group of individual's named by the ODA holder to perform those functions. To assert that the ODA holders do not approve AMOCs would be the equivalent of asserting that the FAA does not approve AMOCs because they are issued specifically by the ACOs. There should not be any confusion between the "ODA" which is the authorization by the FAA to act on its behalf-conveyed through an authorization letter-and the "ODA holder," which is the entity granted the authority.

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Garmin	ii	3.l.	<p>Includes the text “Allows STC ODA holders to re-issue STCs for correcting administrative errors.”</p> <p>ODA <u>holders</u> do not issue STCs.... This statement and similar statements perpetuate and reinforce the confusion in the terminology and functionality between the “ODA” and the “ODA-holder”.</p>		The FAA does not agree with this comment. See above disposition.
Garmin	2-1	2-4.a.	<p>Paragraph 2-4.a states (emphasis added):</p> <p>“a. Type Certification ODA (TC ODA). Holders of a TC ODA may manage and make findings for type certification programs. In addition to the engineering and manufacturing approvals that are part of the certification program, a TC ODA holder may issue airworthiness certificates, but may not issue an original type certificate (TC) or amended TC. A TC ODA is available to organizations holding a TC issued by the FAA.”</p> <p>The highlighted text notes the same confusion regarding the terms “ODA Unit” and “ODA Holder” identified in previous Garmin comments.</p> <p>Paragraph 2-3 defines ODA Holder and ODA Unit as follows (emphasis added):</p> <p>“2-3. Definition of ODA Holder and ODA Unit. An ODA holder is the organization to which the FAA grants the ODA. It may be a certificate holder, such as a repair station or aircraft operator, or a consultant group. The ODA unit is the group of individuals (at least two) within the ODA holder that perform the authorized functions. For consultant groups, the ODA holder may consist entirely of the ODA unit. In this order, some requirements apply specifically to the ODA holder, others to the unit. The ODA holder is responsible for administering the ODA unit, and ensuring all requirements of this order are met.”</p>		<p>The FAA does not agree with this comment. It is always acceptable to refer to any of the ODA authority as being performed by the ODA holder. The FAA does not authorize ODA units to perform functions, it authorizes the ODA holder.</p> <p>All of the highlighted text is appropriate in the use of ODA holder/unit. In many cases throughout the Order, the use of either term could be acceptable, depending on usage.</p>

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			The Order includes this language confusion many times throughout the document. "ODA Holder" is used over 1000 times. Many times the taxonomy is consistent with the definition. Many times it is not consistent. Sometimes it is not possible to determine if has been used correctly since it may not be clear which of the entities should have the action or responsibility.		
Garmin & GAMA	3-10	3-10.c.(2)(a)	It is not clear why the last sentence was added to this section. It is very nearly a direct copy of the first sentence of paragraph 3-10.c.(2)(b). However, Garmin's understanding is that the "Initial ODA Unit Member" course is an inspection course requirement. If so, paragraph 3-10.c.(2)(a) begins with "Engineering unit members", so it is not clear why this course would be acceptable for engineering training requirements.		There were formatting errors in the published paragraph. The FAA intends to remove the specific requirements from the Order and make them available on the internet.
Textron Aviation Inc.	3-10/3-10.c.(2)(a)		The subject of 3-10.c.(2)(a) is Engineering UM recurrent training. The last sentence added at Change 2 is out of place because it refers to <i>initial</i> training for Manufacturing UMs who perform <i>original airworthiness approvals of engines, propellers and articles</i> but not airworthiness approvals of a complete aircraft. Also, the training course required by Order 8100.8 is referred to as "Initial Engines, Propellers, and Articles Seminar" in FAA Order 8100.8D	Move sentence to correct location and verify course titles.	Initial and recurrent training requirements for Unit Members will be clarified and made available on the internet.
Boeing	3-15	3-15	We recommend revising the text as follows: <i>"3-15. Self-Disclosure. Pursuant to FAA Order 2150.3, FAA Compliance and Enforcement Program, the FAA will not seek a civil penalty for 14 CFR part 183 regulatory violations if the ODA holder notifies us of the noncompliance in accordance with the criteria of AC 00-58, Voluntary Disclosure Reporting Program. See FAA Order 2150.3 and AC 00-58, for more information.</i> <i>Additionally 14 CFR part 25 non-compliances submitted in accordance with paragraph 3-18(c) do not require additional reporting under this section and will not be subject to civil penalty."</i>	The paragraph as written in the proposed Order requires duplicate reporting of items subject to notification under paragraph 3-18.	The FAA does not agree with this comment. Paragraph 3-15 only addresses part 183 violations; it is not applicable to reporting potential airworthiness standard non-compliances. There is no requirement mandated by this section, just acknowledgement of the VDRP process applicability to part 183. The language was revised to better align with the provisions of AC 00-58.

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Textron Aviation Inc.	3-15/3-15		Section 3-15 was changed from “FAA will not seek civil penalty” to “FAA may elect not to seek civil penalty”. This seems to be counter to the position of encouraging selfdisclosure unless the intent of the change was to transfer the control to the AC to determine when civil penalties are used.	Leave Section 3-15 unchanged.	This section was reworted to more accurately reflect the allowances provided for in AC 00-58. Order 8100.15 does not establish any requirements and allowances for voluntary reporting, other than referencing what is provided for in AC 00-58. See AC 00-58 for more information.
Textron Aviation Inc.	3-15/3-16.e.		When will FAA Order 8100.15 be revised to remove or relax the requirement to report quarterly on the training status of manufacturing and airworthiness UMs? This report was intended to be used by the FAA to plan the number of classes necessary in a calendar year to ensure adequacy of training offerings. Considering the recurrent requirement is once every 36 months, that's 12 status reports for one requirement, which is unnecessary and burdensome.	Remove the requirement of 3-16(e) or change the requirement to annually.	The FAA agrees with this suggestion. We have removed the requirement for UM training status reports.
Boeing	3-18	3-18d(2)	This section doesn't state that FAA concurrence with the plan is a requirement. Currently, FAA concurrence is considered an inherent part of the process; if that is true, then the order should reflect that requirement. Clarification is needed on whether FAA concurrence with corrective action plans is necessary for them to be considered valid.		Revised language to clarify that the ODA holder must develop corrective action that is acceptable to the OMT.
Boeing	3-18	3-19(b)	We don't request any text changes. We want to point out that this statement is not reflected in pages i or ii as text that has changed. The text in this sentence was changed and not reflected in the list of changes with an explanation for it. Please add it to the list of changes, with the corresponding explanation.		This change is addressed by paragraph e. “Updates corrective action processes to align with changes to FAA Order 2150.3.”
Boeing	3-9	3-10c(2)	We are not asking for any specific text changes, rather we are requesting clarifications to the following items: 1. We believe there needs to be some clarification to the individual FAA training courses, both initial and recurrent. The AFS-640 website gives some guidance; however, it doesn't align with the Order. It is our understanding that airworthiness approvals, conformity, and aircraft certification will be split into separate		Adopted. We have introduced allowances for ODA holder provided training and clarified training requirements on the web at https://www.faa.gov/other_visit/aviation_industry/designees_delegations/training/

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			courses. FAA Notice N 8900.308 was released, pointing MRA authorized individuals to a training table that clearly defines the courses that are required. We believe it would be beneficial if a similar training table is provided for all ODA types as well.		
Learjet	3-9	3-10(c-2)	Paragraph a refers to engineering UMs training requirements, but then at the end the addition mentions training for UMs doing airworthiness approvals of engines, propellers and articles (IUM authorities).	The last sentence of the paragraph (a) should be separated and made into its own, making 3 paragraphs about training (a,b & c).	ODA unit member training requirements are being removed from the Order, clarified, and will be made available on the internet.
Boeing	5-10	5-6(b)(3)(e)	We recommend revising the text of sub-paragraph (e) as follows: <i>“(e) Submit its determination of the cause of the condition and proposed corrective action within 30 calendar days or as agreed to by the OMT.”</i> This will make all corrective action response timelines consistent with Para 3-18.(d)(2).		The FAA agrees with this recommendation. The OMT may establish other timeframes for submittal of corrective action proposals.
Boeing	5-10	5-6(b)(5)	We recommend revising the text of sub-paragraph (5) as follows: <i>“(5) Verify that the documented corrective action was implemented.”</i> The current text of the Order does not establish clear criteria for what is an appropriate corrective action. This often leads to opinion-based rejection of actions. This requirement should be focused on verifying the action was completed as documented in the corrective action plan.		The FAA does not agree with this comment. Revisions to paragraph 3-18 make clear that FAA concurrence with proposed corrective action is needed. The duty of the FAA is to ensure that the corrective action is appropriate and effective.
GAMA	5-7 thru 5-8	5-4.h	Items number 7 and 8 are ambiguous; which list above should this apply to?	5-7 thru 5-8	

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Garmin	6-6 thru 6-7	6-5.h	<p>Paragraph 6-5.h did not change with Chg 2. However, Garmin believes that a change needs to be made.</p> <p>Order 8100.15 paragraph 6-5.h included the following additional classification:</p> <p>“(3) Procedures Manual Non-compliance. The organization did not comply with the FAA-approved procedures manual (or referenced internal procedures) in effect at the time the discrepancy occurred.”</p> <p>Order 8100.15A merged the Procedures Manual Non-compliance classification with the Regulatory Non-compliance classification via the following changed language:</p> <p>“(2) Regulatory Non-compliance. A non-compliance with the regulations other than the airworthiness standards including a non-compliance with the FAA approved procedures manual (14 CFR § 183.57).”</p> <p>Garmin’s understanding is that this merge occurred to allow the FAA to take enforcement action if necessary. However, the result of this merging of classifications is that even the smallest “non-compliance with the FAA approved procedures manual” becomes a Regulatory Non-Compliance which takes a non-trivial amount of resources for both the FAA and the ODA to resolve.</p> <p>Garmin’s FAA-approved ODA procedure manual often includes steps that are not required by any FAA regulation or policy to make the process flow easier. In the case where a “non-compliance with the FAA approved procedures manual” does not directly violate FAA regulation or policy, Garmin believes that the Procedures Manual Non-compliance classification should still be allowed.</p>		<p>The FAA does not agree with this comment. Procedures manual non-compliances are not regulatory violations by virtue of being classified as such as described in Order 8100.15. Rather, they are regulatory violations due to the 14 CFR 183.57 (a) requirement for ODA holders to comply with the approved procedures manual. Even if a new classification were added, the FAA would still be obligated to pursue compliance and enforcement action against the procedures manual non-compliance.</p>

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			Reintroduction of the Procedures Manual Non-compliance classification is consistent with the principles of risk-based decision making and would reduce the resources required to resolve issues classified in this manner for both the FAA and the ODA.		
GAMA	6-6 thru 6-7	6-5.h	<p>Background: Order 8100.15 paragraph 6-5.h included the classification:</p> <p>“(3) Procedures Manual Non-compliance. The organization did not comply with the FAA-approved procedures manual (or referenced internal procedures) in effect at the time the discrepancy occurred.”</p> <p>Order 8100.15A merged the Procedures Manual Non-compliance classification with the Regulatory Non-compliance classification via the following changed language:</p> <p>“(2) Regulatory Non-compliance. A non-compliance with the regulations other than the airworthiness standards including a non-compliance with the FAA approved procedures manual (14 CFR § 183.57).”</p> <p>However, the result of this merging of classifications is that even the smallest “non-compliance with the FAA approved procedures manual” must be processed in terms of corrective action and documentation the exact same way as all other Regulatory Non-Compliances which requires a large amount of resources for both the FAA and the ODA to track through resolution.</p> <p>FAA-approved ODA procedure manuals often includes steps that are strictly internal business process not required nor necessary for any FAA regulation or policy. GAMA believes there is significant benefit to have a classification available for cases where a “non-compliance with the FAA approved procedures manual” does not directly violate FAA regulation or policy and is a very simple issue with very little or no impact to compliance activity</p>		The FAA does not agree with this comment. Procedures manual non-compliances are not regulatory violations by virtue of being classified as such as described in Order 8100.15. Rather, they are regulatory violations due to the 14 CFR 183.57 (a) requirement for ODA holders to comply with the approved procedures manual. Even if a new classification were added, the FAA would still be obligated to pursue compliance and enforcement action against the procedures manual non-compliance

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			<p>that can be readily addressed and corrected. This more accurately captures regulatory non-compliances based on potential compliance and risk impact and readily allows for more appropriate and efficient process for corrective action and resolution.</p> <p>Reintroduction of the Procedures Manual Non-compliance classification is consistent with the principles of risk-based decision making and would reduce the resources required to resolve issues classified in this manner for both the FAA and the ODA.</p>		
GAMA	7-1 thru 7-4	7-1 thru 7-6	<p>Why are appeals of suspensions no longer allowed?</p> <p>If a suspension happened, and corrective actions completed, would the suspension still last for duration or could it be lifted sooner?</p> <p>How is holder notified of length of suspension and how to remove suspension?</p>	<p>Add steps for appealing a suspension.</p> <p>Order should state that FAA provides duration of and corrective actions to remove suspension in notification.</p>	<p>The FAA agrees in part with these recommendations. The FAA does not agree that appeal rights should be provided I the case of suspension actions. Suspension is only appropriate when specific corrective action has been identified and can be completed for reinstatement. Suspension would be lifted as soon as suitable corrective action is implemented.</p> <p>Appeal process would be available at the time when a final termination decision is reached.</p> <p>The FAA agrees that the notice of suspension should include information on the specific corrective actions required and will include that content in the notice of suspension.</p>
GAMA	7-3	7-5.b(3)	Need more independence for office reviewing the revocation action since the office manager that sent the notice was party to the original agreement to terminate.	Recommend appeal to AIR-100 level office.	The FAA does not agree with this suggestion. Responsibilities for ODA appointment, management, and subsequently termination appropriately reside within the managing field office organizations.

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					Independence is provided for in the required appeal panel make-up of personnel not involved in the termination decision.
Boeing	7-2	7-2	We recommend revising the text as follows: <i>“7-2. Cause for Suspension or Termination of ODA. The following are the primary reasons for the FAA to suspend or terminate an ODA. This list is not exhaustive, and the FAA may find other reasons to suspend or terminate an ODA.”</i>		Adopted.
GAMA		Chap ter 8	Are changes / clarifications also needed for Non-PNL <u>TC</u> projects including MCTD (Chapter 8)?		The FAA will consider clarification for non-PNL TC projects for a future revision to the Order. While clarification might have benefits, the appropriate scope and limitations for non-PNL project activity have not been considered. While the limitations established for STC projects might directly apply, the FAA needs to consider whether all are appropriate in the TC realm and whether the introduction of additional language might have unintended negative impacts on existing arrangements with TC ODA holders.
Boeing	8-1	8- 3(A)(1)	We recommend revising the text as follows: <i>“(1) A TC ODA unit may approve type design and substantiation data for new TCs, TC amendments and design changes. The authority may include, but is not limited to, finding compliance with the FAA regulations of 14 CFR part 23, 25, 27, 29, 31, 33, 35, or 36.”</i>		Adopted, included parts 34 and 36 in list of applicable regulations.

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GAMA	8-6 thru 8-7	8-5.d	Objective is to propose text which would make this section more effective in terms of shifting the default approach for all ODA projects to fully delegated and increasing responsibility/accountability for providing not just the rationale category identified in the Order for any activities or areas in which the FAA will participate or make specific findings of compliance, but also an explanation which provides coaching to mature the relationship and capability to better support future projects.	TBD	<p>The FAA is willing to consider text to reinforce the notion that the default approach is full delegation. That is exactly what the process, as described in the Order, provides for.</p> <p>There will always be a place for FAA discretionary involvement in those areas which the ODA holder might have authority.</p> <p>The FAA agrees that communications between the OMT and ODA holder regarding retained activities should be comprehensive enough for the ODA holder to identify those reasons for retention and needed actions in order for future delegation. This type of communication probably cannot be successfully mandated by Order requirement and ODA holder needs should be communicated to the OMT lead, and if necessary, other FAA management.</p>
GAMA	8-6 & 11- 10	8-6.b(1)) thru (4) & 11-7.d(2) (b) & 13-6.c(b) (2)	<p>Uses subjective language that promotes non-standardization from one OMT to the next. Suggest removing terms such as “might” in sub para 1. And “sufficient” in sub para 3.</p> <p>In sub para 2. change in policy or procedure since the “holders last type certification program” should not influence the integrity of the ODA unit nor ability to comply with a changed policy, again making this language subjective and open to non-standardization from one OMT to the next.</p> <p>In sub para 4. Propose changing the word “holder” to “unit”. The experience of the ODA unit in making findings</p>		<p>The FAA agrees with the intent of minimizing subjectivity. However, it is not possible to eliminate subjectivity completely given that delegation and FAA participation decisions are based on the discretion of the FAA managing offices.</p> <p>We have removed “might” in sub paragraph 1.</p> <p>We have reworded subparagraph 2. - “When FAA policy or procedures changes since the ODA holder's last type certification program impact the ODA holder’s ability to</p>

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					determine compliance.” The FAA also disagrees with changing ODA holder to ODA unit.
GAMA	8-6 & 11- 10	8-6.c & 11- 7.d(2) (c)	ODA holders do not make approvals.	Propose changing the word “holder” to “unit.”	The FAA does not agree with this comment. The FAA grants authority to an ODA holder to perform functions on the FAA's behalf. The ODA unit is the group of individual's named by the ODA holder to perform those functions and is part of the ODA holder. To assert that the ODA holders do not issue approvals would be the equivalent of asserting that the FAA does not approve approvals because they are issued specifically by the field offices.
Textron Aviation Inc.	8- 10/8- 5.i(2) (d)		Contrary to Draft 8110.54B, 3-7, which states, "these procedures don't apply to the ODA. Refer to 8100.15()." (d) A process to ensure that ICA development and review is complete, and the ICA meet the requirements of the regulations and FAA Order 8110.54 before the ODA administrator documents acceptance of the ICA by completing FAA form 8100-11, <i>ODA Statement of Completion</i> or provides concurrence on EWIS ICA to the ACO.	Reconcile this statement with Draft FAA Order 8110.54B. Textron Aviation believes the statement in FAA Order 8110.54B is incorrect.	See earlier disposition.
GAMA	8-13 & 11- 16	8-7 Note 3. & 11-8 Note 3.	“Certificated facilities” terminology is not descriptive. Some clarity should be added to minimize confusion. If the intent of the note is to insure that the more comprehensive projects declared significant under CFR 21.101 should be conducted at a more capable location then the definition of “certificated facilities” should be included.		The intent is for significant projects to be conducted at facilities authorized to approve for return to service. We have clarified the requirement.

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Boeing	8-13	8-7	<p><i>“8-7. Off-Site Project Requirements. An ODA holder may conduct off-site prototype installations at any location by any entity determined by the ODA holder’s evaluation per paragraph 8-8a as having the appropriate skills and equipment needed to ensure the conformity of the prototype installation. This may include repair stations operating under the authority of 14 CFR 145.203.”</i></p> <p>Typographical error. Paragraph 8-7a does not exist; thus, we believe the intent is to reference 8-8a.</p>		Corrected formatting
Boeing	8-13	8-7	<p>We recommend revising the text as follows: <i>“8-7. Off-Site Project Requirements...</i> <i>Note 3: Prototype installations on projects classified as significant in accordance with 14 CFR 21.101 must be accomplished at FAA certificated facilities.</i></p>		Corrected formatting.
L-3/IS	8-13	8-7	Para 8-7 refers to para 8-7a. There is no such paragraph.	Correct the paragraph reference	Corrected formatting error.
Textron Aviation Inc.	8-13/8-7		Section 8-7, paragraph 1 refers to paragraph 8-7a. There is no paragraph 8-7a in Change 2 of the revised Order 8100.15B.	Correct reference to paragraph 8-7a.	Corrected reference.
Learjet	8-2	8-3(d)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	We do not disagree with the comment, but the FAA wishes to minimize the size of this change, will only correct on those pages that are otherwise part of the revision We will incorporate on other pages in future revisions.

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Learjet	8-24	8-16(i)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	Removed reference.
Boeing	8-7	8-6(d)(2)(b)	<p>We recommend revising the text as follows: <i>“(b) Insufficient Demonstration of Ability. Those activities or areas in which the ODA holder has not demonstrated the ability to determine compliance. This may be appropriate for the following.”</i></p> <p>The use of the word “perform” could create confusion with the previous paragraph 8-6 (d)(2)(a). FAA judgment is used to decide what, if any, involvement is appropriate, depending on the subject design change</p>		Adopted in part. Revised “perform” with determine compliance. The “Insufficient Demonstration of Ability” description is appropriate (not “May be”) for all of the items listed.
Boeing	8-7	8-6(d)(2)(d)	<p>We recommend revising the text as follows: <i>“(d) Areas Critical to Safety. Design areas critical to safety including testing of critical areas/characteristics, such as design areas related to items on the Transport Airplane Issues List, areas subject to a potential unsafe condition, or areas related to a regulation that requires a formal safety assessment.”</i></p> <p>Our recommended change are meant to establish an objective criterion for selection of this rationale.</p>		The FAA does not agree with this comment. Although it would be preferred to have clearly objective criteria for FAA involvement, the FAA must retain the ability to engage in ODA projects for those areas, such a flight testing, that are critical to safety or benefit from FAA participation.
Boeing	8-7	8-6(d)(2)	<p>We recommend a new paragraph (e) to be added under existing section 8-6(d)(2) as follows: “(e) Lack of Guidance. Areas where there is insufficient or no published guidance for the ODA holder to follow.”</p> <p>The FAA has published the Transport Airplanes Issues List identifying areas where there is insufficient industry guidance. For those areas, the ODA holder cannot be expected to fully understand the FAA’s intent unless there are project-specific Issue Papers or a certain level of ODA history. Identifying these areas as part of the project definition will help the FAA identify which areas most urgently need new policy to be written.</p>		The FAA does not agree with this comment. The proposed language is subjective in nature, requiring OMT decisions about what constitutes published guidance. Most of these issues would fall under “Policy and Procedure Changes” or “New or Differing Methods of Compliance”, and will flush themselves out in the PNL process. Additionally, an ODA holder could be capable of determining compliance absent of any specific published guidance, depending on the specifics of the requirement.

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Textron Aviation Inc.	8- 9/8- 5.i(2) (a)		Contrary to Draft 8110.54B, 3-7, which states, "these procedures don't apply to the ODA. Refer to 8100.15()." 8-5.i.(2) and Associated Procedures. (a) A process for determining whether the project requires the development of new or revised ICA which includes documenting an impact assessment per FAA Order 8110.54, <i>Instructions for Continued Airworthiness Responsibilities, Requirements and Contents</i> , if the project does not impact the current ICA.	Reconcile this statement with Draft FAA Order 8110.54B. Textron Aviation believes the statement in FAA Order 8110.54B is incorrect.	See earlier disposition.
Textron Aviation Inc.	8- 9/8- 5.i(2) (c)1		Contrary to Draft 8110.54B, 3-7, which states, "these procedures don't apply to the ODA. Refer to 8100.15()." 1. Development of ICA meeting the format and content requirements of the regulations and FAA Order 8110.54.	Reconcile this statement with Draft FAA Order 8110.54B. Textron Aviation believes the statement in FAA Order 8110.54B is incorrect.	See earlier disposition.
Learjet	9-1	9-3 (a)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	We do not disagree with the comment, but the FAA wishes to minimize the size of this change, will only correct on those pages that are otherwise part of the revision We will incorporate on other pages in future revisions.
Learjet	9-8	9- 11(c))	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	We do not disagree with the comment, but the FAA wishes to minimize the size of this change, will only correct on those pages that are otherwise part of the revision We will incorporate on other pages in future revisions.
Boeing	D-1		We ask the FAA to evaluate and consider the following documents in order to harmonize the certification plan requirements among different regulatory sources: 1) FAA Order 8110.4C, Section 2-3, Paragraph 2-3.d; 2) FAA Order 8110.37E, Chapter 4, Section 4-1.b; 3) EASA Part 21 AMC 21.A.20(b); and 4) Canada TCCA regulations 521.28 and 521.155.		No revisions have been introduced based on this comment. The FAA would consider proposals to standardize certification planning requirements, but we are unable to incorporate at this change.

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			<p>We recommend the FAA adopt the policy provided in item 3 above.</p> <p>Recognizing that aviation is a global industry, and also recognizing the aviation products designed, produced, manufactured and / or certified in US will go to a foreign country and its operators, it is important to industry (and FAA) to have harmonized and aligned requirements to the greatest extent possible with other regulatory agencies. It is critical for the US companies to leverage the FAA requirements and get help from the FAA when validating our products with foreign aviation regulatory authorities in accordance with the established Bilateral Agreements and/or Bilateral Aviation Safety Agreements (BASA) requirements. We would like to work to a common and complete set of certification plan requirements.</p>		<p>Additionally, changes in certification processes may make it impossible to fully harmonize certification plan requirements. It is probable that specific certification plan content, such as descriptions of ODA unit members or capabilities will always be needed as required for ODA projects.</p>
L-3/IS	11-1	11-2 d.	<p>A literal interpretation of the wording says STC prototype installations may only be done at off-site locations (therefore cannot be done at the ODA Holder's facility). Obviously, that is not the FAA's intent.</p>	<p>Please clarify intent.</p>	<p>Corrected reference to paragraph 11-6</p>
Learjet	11-2	11-3(d)	<p>The paragraph states <i>“An STC ODA unit may approve changes to airworthiness limitations associated with an STC it issues.”</i></p> <p>This paragraph has caused confusion, with some believing that it means the approval of new limitation resulting from a STC modification is a FAA reserved item.</p>	<p>Change 11-3(d) to say <i>“An STC ODA unit may approve new airworthiness limitations associated with an STC it issues and also may approve changes to airworthiness limitations associated with an STC it issued.”</i></p>	<p>The FAA agrees with this suggestion. We have revised the language to clarify that new or revised airworthiness limitations may be approved.</p>

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Learjet	11-2	11-3(e)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	We do not disagree with the comment, but the FAA wishes to minimize the size of this change, will only correct on those pages that are otherwise part of the revision. We will incorporate on other pages in future revisions.
GAMA	11-7	11-7.a(7)		Consider mandating that the "issues list" be FAA policy, not informal.	The directorate issues list is currently the method of identifying those projects which will probably require directorate involvement.
GAMA	11-8, 13-6, & 13-12	11-7.d. & 13-6(c) & 13-7.a(1)(c)	"If required by the OMT" is subjective language regarding inclusion of Non-PNL project activity on the activity reports. The language promotes non-standard OMT actions from one ACO to the next.		<p>The Order provides the flexibility for the OMT to determine reporting requirements based on the arrangements it has for managing each ODA holder.</p> <p>Other similar hard requirements have resulted in reports being submitted, not because the OMT needed the information to manage the ODA, but because the order required it.</p>
GAMA	11-10 thru 11-11	11-7.d	Objective is to propose text which would make this section more effective in terms of shifting the default approach for all ODA projects to fully delegated and increasing responsibility/accountability for providing not just the rationale category identified in the Order for any activities or areas in which the FAA will participate or make specific findings of compliance, but also an explanation which provides coaching to mature the relationship and capability to better support future projects.	TBD	<p>The FAA is willing to consider text to reinforce the notion that the default approach is full delegation. That is exactly what the process, as described in the Order, provides for.</p> <p>There will always be a place for FAA discretionary involvement in those areas which the ODA holder might have authority.</p> <p>The FAA agrees that communications between the OMT and ODA holder</p>

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					regarding retained activities should be comprehensive enough for the ODA holder to identify those reasons for retention and needed actions in order for future delegation. This type of communication probably cannot be successfully mandated by Order requirement and ODA holder needs should be communicated to the OMT lead, and if necessary, other FAA management.
GAMA	11-16	11-8		First sentence, remove “. “ after “11-8a of this order.”	Corrected formatting.
Learjet	11-24	11-16(o)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	Removed reference.
Learjet	11-12	11-7(f)	<p>The paragraph states “<i>The ODA administrator will chair preliminary, interim, pre-flight, and final STC board meetings on major projects.</i>”</p> <p>This wording differs from what is included in para 8-16 (page 8-23) which states “<i>The ODA unit should hold a preliminary type certification board meeting for each new TC, ATC, and significant type design change ...</i>”</p> <p>The difference in wording would result in the ODA holder who has TC and STC authorizations being required to hold a type board meeting if they were doing a STC for a non-significant project, but would not have to hold a type board meeting for a</p>	<p>Change 11-7(f) to say “<i>The ODA administrator will chair preliminary, interim, pre-flight, and final STC board meetings on significant projects.</i>”</p> <p>Or change it to say “<i>The ODA administrator will</i></p>	<p>There is no intended difference in the board meeting requirements for TC or STC ODA. As used in paragraph 8-16, “significant” is not intended to mean significant as established in 14 CFR 21.101. Rather, it is used to generically define a project that is noteworthy, or major, as used in Chapter 11.</p> <p>It is not the intent of Order 8100.15 to mandate what types of projects require board meetings. That should be determined between the OMT and ODA holders based on the types of projects</p>

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			non-significant project if they used their TC ODA authorization.	<i>chair preliminary, interim, pre-flight, and final STC board meetings on projects which have Directorate involvement.”</i>	<p>and practices established through management of the ODA holder's FAA-managed certification activity.</p> <p>To address this comment with revision to the Order, the FAA would probably use both words (significant or major) to describe those projects worthy of board meetings. We are not making any specific revisions at this time in order to prevent unintended impacts to established practices/allowances between OMTs and ODA holders.</p> <p>We will consider this comment if future changes to the Order consolidate and standardize the language for TC and STC ODA.</p>
Boeing	11-16	11-8	<p>We are not proposing any text changes (except the correction needed to remove the period between the words “order” and “as” in the first sentence).</p> <p>11-8. Off-Site Project Requirements. <i>An ODA holder may conduct off-site prototype installations at any location by any entity determined by the ODA holder's evaluation per paragraph 11-8a of this order. as having the appropriate skills and equipment needed to ensure the conformity of the prototype installation. This may include repair stations operating under the authority of 14 CFR 145.203.</i></p> <p>However, we would like some clarification relative to this paragraph.</p> <p>Change 2 has removed the criteria for evaluating Foreign CAA Repair Stations, and appears to leave it between the ODA and the OMT to determine. Is the FAA providing additional guidance outside of the Order for Foreign CAA Repair Station Evaluations? Without some type of guidance, inconsistencies between FAA offices may lead to an un-level playing field between regions and ODAs.</p>		<p>There were never any specific “criteria” for evaluating foreign repair stations. As previously and currently worded, the ODA holder is required to evaluate any off-site facility as required in paragraph 11-8a.</p>

Commen ter	Pag e	Para grap h	Comment	Suggested Change	Comment Resolution
Learjet	11-16	11-8	First sentence of paragraph says “...ODA holder’s evaluation per paragraph 11-8a of this order. as having the appropriate skills....”	Change the period after the word “order” to a comma instead.	Corrected formatting.
Boeing	11-7	11-7a(7) (c)(2)	We recommend revising the text as follows: “(c) A PNL is required for any project: ... 2. Involving items on the applicable directorate’s issues list, unless the issue has been dispositioned on that ODA holder’s previous project through a completed stage 4 issue paper, the issue paper is marked for reuse, and all reuse conditions are met or in another manner found acceptable to the applicable directorate as documented in the ODA holder’s procedures manual . Such an issue paper or other document must be referenced in the certification plan and noted in the CPN.”		Adopted.
Textron Aviation Inc.	11-7/11-7.a.(7)(c) 8.		Why is a specific, project-related system (ADS-B) defined in this Order as requiring a PNL? The scope and limitations of activity not requiring a PNL will be defined in the ODA procedures manual. If this system is not allowed to qualify for no PNL then it should be not be permitted in the procedures manual for no PNL, or it should be stated as a limitation.	Remove (c) 8.	The FAA has determined that certain types of ADS-B projects require a PNL. If not defined in the Order, there would be no assurance that PNLs be submitted for those projects.
Textron Aviation Inc.	12-7/12-10.a.(5)		Reference to 8900.1 appears to be incorrect. (5) Ensuring that the ICA or impact assessment was prepared by the applicant and that the ICA was prepared in accordance with the ICA checklist in FAA Order 8900.1.	Change reference from FAA Order 8900.1 to FAA Order 8110.54 or FAA AC 20-ICA.	Updated reference to Order 8110.54.
L-3/IS	11-19	11-9	This appears to conflict with the requirement from 11-8 Note 3 (page 11-16) that significant projects be worked at FAA certificated facilities. What is the FAA’s intent?	Please clarify.	Clarified that significant projects on military commercial derivative aircraft may be done at facilities agreed to by the military service.

Commenter	Page	Paragraph	Comment	Suggested Change	Comment Resolution
Learjet	12-8	12-10(b)	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	Removed reference.
Textron Aviation Inc.	12-8/12-10.a. (5) NOTE		12-10.A(5) NOTE: The FAA (or ODA holder) is not required to make a distinct acceptance of either the ICA or the impact assessment. The applicant is responsible to prepare ICA or impact assessments that are acceptable to the FAA. The first and second sentences are contradictory. If the ODA Holder is not required to make a distinct acceptance of either ICA or the impact assessment, how then is the applicant (ODA Holder) to prepare ICA or the ICA impact assessment?	The first and second sentences are contradictory. Please provide clarification.	The note means to make clear that there is no specific FAA or ODA unit role in the development of ICA for repairs/alterations. There is no specific FAA (or ODA) "acceptance" of the ICA. Added language to clarify.
GAMA	13-12	13-7.a(2)		Typo – "f" should be "If"	Corrected
Boeing	D-1	5(b)	We recommend revising the text as follows: <i>"(b) If identifying the unit members by name, it may become necessary to make substitutions. When allowed by the ODA manual, the ODA administrator may substitute equally authorized and qualified unit members for those named without subsequent notification to the OMT."</i>		No revisions have been introduced based on this comment. The suggested change in wording is not significant.
Boeing	D-2	7	We recommend revising the text as follows: <i>"7. A proposed project schedule including major milestones, such as planned submittal dates for preliminary hazard analysis, substantiating data (test plans and test reports) planned dates for conformity inspection, airworthiness inspection, test(s) and ultimately the expected date of final certification. Revisions to the certification plan do not need to be submitted to the FAA due to schedule changes unless FAA</i>		We have incorporated most suggestions in the text. We have not included the note about revision submittals, as this appendix only addresses cert plan content requirement. Expectations about submittal of revisions to certification plans would be

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			<p><i>involvement is/was required or in accordance to communication agreements between OMT and ODA."</i></p> <p>Boeing considers that our recommended revision enhances the requirement and provides clarity of what it is expected to be in the certification plan. We believe this addition will help the FAA in minimizing the rejections of certification plans, adding capacity, and improving the efficiency of the certification plan acceptance process.</p>		established between the OMT and the ODA holder.
Boeing	D-2	9/10	<p>The proposed text states: <i>"9. The proposed Airworthiness Certificate Category for Flight Testing. 10. Identification of Manuals (maintenance, wiring diagram, illustrated parts catalog, and so on) are planned to be issued or revised."</i></p> <p>We don't recommend revising the text of these paragraphs; however, we identify these requirements as those that could be met outside of the certification plan, when allowed by the ODA Procedures Manual. Boeing considers that these two requirements are good examples of things that could be met outside of the certification plans when allowed by the ODA Procedures Manual.</p> <p>We think there are other ways more effective and efficient to comply with the intent of these requirements.</p>		No revisions have been introduced based on this comment.
Boeing	E-1	3.	<p>The following Order should be added to the list: <i>"FAA Order 8110.101(A), Type Certification Procedures For Military Commercial Derivative Aircraft"</i></p>		We do not disagree with the comment, but the FAA wishes to minimize the size of this change, and Order 8110.101 is not relevant to any of the changes introduced. We will incorporate in future revisions.

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Learjet	E-2	App. E 3	FAA Order 8130.29 is referenced. Order is now inactive.	Remove 8130.29 reference.	We do not disagree with the comment, but the FAA wishes to minimize the size of this change, will only correct on those pages that are otherwise part of the revision We will incorporate on other pages in future revisions.